

House Engrossed

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 329

HOUSE BILL 2140

AN ACT

AMENDING SECTION 15-902, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT BUDGETS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-902, Arizona Revised Statutes, is amended to
3 read:

4 15-902. Determination of student count

5 A. For a common or a unified school district in which the average
6 daily membership through the first one hundred days or two hundred days in
7 session, as applicable, of the current year has exceeded the average daily
8 attendance through the first one hundred days or two hundred days in session,
9 as applicable, of the current year by more than six per cent, the student
10 count shall be determined by an adjusted average daily membership computed
11 by multiplying the actual average daily attendance by one hundred six per
12 cent.

13 B. For a high school district in which the average daily membership
14 through the first one hundred days in session of the current year exceeds the
15 average daily attendance through the first one hundred days in session of the
16 current year by more than eight and one-half per cent, the student count
17 shall be determined by an adjusted average daily membership computed by
18 multiplying the actual average daily attendance by one hundred eight and
19 one-half per cent. If the high school district which utilized adjusted
20 average daily membership pursuant to this subsection does not qualify for
21 equalization assistance as provided by section 15-971, the computation of
22 additional state aid for education as provided in section 15-972 for that
23 district shall not include in the primary property tax rate the amount of
24 primary property taxes necessary to fund an amount computed as follows:

- 25 1. Determine the revenue control limit, capital outlay revenue limit
26 and soft capital allocation using the adjusted average daily membership.
- 27 2. Add the amounts determined in paragraph 1 of this subsection.
- 28 3. Determine the revenue control limit, capital outlay revenue limit
29 and soft capital allocation using a student count computed by multiplying the
30 actual average daily attendance by one hundred six per cent.
- 31 4. Add the amounts determined in paragraph 3 of this subsection.
- 32 5. Subtract the sum determined under paragraph 4 of this subsection
33 from the sum determined under paragraph 2 of this subsection.

34 C. A school district required to utilize adjusted average daily
35 membership as provided in this section may apply to the department of
36 education for a further adjustment if student absences ~~for any period of~~
37 ~~three consecutive days or more~~ result from any of the following reasons:

- 38 1. Widespread illness FOR ANY PERIOD OF THREE CONSECUTIVE DAYS OR
39 MORE.
- 40 2. Adverse weather conditions FOR ANY PERIOD OF THREE CONSECUTIVE DAYS
41 OR MORE.

1 3. Concerted refusal by students to attend classes FOR ANY PERIOD OF
2 THREE CONSECUTIVE DAYS OF MORE.

3 4. THREATS OF VIOLENCE AGAINST SCHOOL PROPERTY, SCHOOL PERSONNEL OR
4 STUDENTS FOR ANY PERIOD OF ONE DAY OR MORE.

5 D. All student absence figures shall be submitted by the school
6 district on a school by school basis to the department of education pursuant
7 to subsection C of this section and shall be certified by the governing board
8 of the school district. The department of education shall review the
9 materials and documents submitted and may, if it determines that the absences
10 resulted from the reasons prescribed by this section, further adjust the
11 average daily membership figures of the school district.

12 E. A school district required to use adjusted average daily membership
13 as provided in this section may apply to the department of education for a
14 further adjustment due to absences of pupils with chronic health problems as
15 defined in section 15-346 if the school district is providing services to the
16 pupils during their absence from school.

17 F. A pupil is enrolled if the pupil is currently registered in the
18 school district. In addition, the uniform system of financial records shall
19 contain procedures to ensure that enrollment is determined by all school
20 districts on a uniform basis.

21 G. Any determination of average daily attendance and average daily
22 membership shall be based on the records of the superintendent of public
23 instruction.

24 H. For school districts which maintain an approved year-round school
25 year operation program, an educational program offered on the basis of a four
26 day school week or an alternative kindergarten program offered on the basis
27 of a three day school week, student count shall be based on a computation as
28 prescribed by the superintendent of public instruction on the one hundred
29 seventy-five days' equivalency or two hundred days' equivalency, as
30 applicable, of instructional time as approved by the superintendent of public
31 instruction during which each pupil is enrolled.

32 I. School districts shall be required to record electronically
33 membership and attendance on a school by school basis for each day school is
34 in session. Records shall be certified and forwarded to the department of
35 education electronically within twelve days after the first forty days in
36 session and within twelve days after the first one hundred days in session.

37 J. Absences shall be made part of the attendance record and shall be
38 forwarded electronically by the school district on a school by school basis
39 with other records to the department of education.

40 K. If a new school district is formed by the subdivision of an
41 existing school district as provided in section 15-458, the new school
42 district shall determine its student count, the approved daily route mileage
43 and the number of eligible students transported on the basis of where pupils

1 reside within the boundaries of the new school district when computing
2 assistance as provided in this chapter. The school district shall determine
3 its student count, the approved daily route mileage and the number of
4 eligible students transported on the basis of where pupils reside within the
5 diminished boundaries of the school district when computing a school district
6 budget limit and assistance as provided in this chapter. The combined
7 student count in the new districts may not exceed the student count of the
8 school district which would have existed if the subdivision had not occurred.

APPROVED BY THE GOVERNOR MAY 4, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 4, 2001.

Passed the House March 21, 2001,

Passed the Senate April 27, 2001,

by the following vote: 42 Ayes,
14 Nays, 4 Not Voting

by the following vote: 17 Ayes,
11 Nays, 2 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
30 day of April, 2001,

at 11:09 o'clock A M.

[Signature]
Secretary to the Governor

Approved this 4th day of

May, 2001,

at 10:22 o'clock A M.

[Signature]
Governor of Arizona

H.B. 2140

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 8 day of May, 2001,

at 4:34 o'clock P M.

[Signature]
Secretary of State